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C O N F I D E N T I A L SECTION 01 OF 02 MANILA 001792

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DEPT FOR EAP, EAP/MTS, DRL/CRA

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TAGS: [PINS](#) [PREL](#) [PTER](#) [RP](#)

SUBJECT: REBELLION CHARGES AGAINST SUSPECTED COUP PLOTTERS
JUST BEFORE MAY DAY

REF: A. MANILA 889

[B](#). MANILA 1162

[C](#). MANILA 1021

Classified By: Pol/C Scott Bellard for reasons 1.4 (b) and (d).

. (SBU) Summary: The Philippine Department of Justice (DOJ) on April 21 formally filed in a Makati City Court a motion to bring charges of rebellion against the leftist "Batasan Five" lawmakers and 43 others, including members of the Communist Party of the Philippines. The charges are based on a February 27 complaint filed by the Philippine National Police in the wake of the February 24 State of National Emergency, declared after the Administration concluded that a clear and present danger existed. The accused lawmakers have said that they would leave their current sanctuary in Congress after the issuance of any eventual arrest warrants, but have also filed several challenges to the government's findings. DOJ at the same time deferred filing charges against Brigadier General Danilo Lim and other military officers, pending further investigation. As the May 1 Labor Day holiday approaches, the government expects usual labor demonstrations, but no serious threats to stability or attempted coups. Embassy will remain alert to these possibilities. End Summary.

Rebellion

[12](#). (U) DOJ on April 21 formally filed a motion (which did not become public until April 24) in the Makati City Regional Trial Court to bring charges of rebellion against at least 48 individuals, after determining that there was sufficient evidence to proceed with an initial complaint filed by the Philippine National Police's Criminal Investigation and Detection Group (PNP-CIDG) on February 27. The group includes the so-called "Batasan Five" members of Congress -- who have remained in the Batasang Pambansa complex of the House of Representatives since February 26 (ref c) -- whom one self-described former New People's Army (NPA) member Jaime Fuentes claimed to have witnessed in secret meetings with CPP/NPA and rebel factions of the military regarding their alleged plans to oust President Arroyo.

[13](#). (U) In addition to the five members of Congress, the motion includes charges against ex-Senator and repeated coup plotter Gregorio "Gringo" Honasan as well as several prominent CPP leaders, including founder Jose Sison and spokesperson Gregorio "Ka Roger" Rosa. Honasan -- also implicated in the 2003 Oakwood Mutiny -- remains in hiding

despite an ongoing manhunt and a promised bounty of 8 million pesos (USD 160,000).

¶4. (U) However, DOJ did not find sufficient evidence to bring charges against Brigadier General Danilo Lim -- former commander of the Philippine's elite First Scout Ranger Regiment -- and nine other soldiers. DOJ instead returned these cases to PNP for further investigation.

Next Steps

¶5. (C) On April 26, the Supreme Court likely will hear a petition from the "Batasan Five" to dismiss the case outright, alleging that the DOJ pre-judged the initial complaint. On April 24, lawyers for the accused lawmakers filed a counter-motion with the Makati Regional Trial Court to suspend proceedings on the DOJ charges until the Supreme Court makes its ruling. The counter-motion also asked the court to conduct its own investigation of the case to validate or refute the DOJ's finding of probable cause. Supporters of the accused have denounced the GRP's charges as "ridiculous," claiming they are part of an attempt to limit the powers of leftist politicians. Marco Palo, the Chief of Staff for accused congressman Theodore "Teddy" Casino, alleged privately to poloff that the DOJ had "clear instructions" from Malacanang to push forward with the case "regardless of merit." However, if the court eventually issues arrest warrants, the accused lawmakers have stated that they would go peacefully.

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May Day

¶6. (SBU) As the May 1 Labor Day holiday approaches, the GRP is bracing itself for planned demonstrations. A spokesperson for the American Center for International Labor Solidarity (ACILS) -- the international arm of the AFL-CIO -- told poloff on April 25 that leftist groups will face a challenge in mounting May Day demonstrations, as "the government has been monitoring all their activities and will have mechanisms in place, such as checkpoints, to keep the crowds down." The spokesperson further noted that mainstream labor groups are not planning marches and will stick to holding job fairs.

¶7. (C) Malacanang Senior Deputy Executive Secretary Jake Lagonera told Pol/C on April 25 that Malacanang expects the May Day holiday to be relatively quiet, with only usual level of pro-labor demonstrations. He said that the GRP did not see any signs of new coup attempts or major "people power" movements, although authorities will maintain their vigilance. He indicated that the public had become "weary" of such public demonstrations, at least for the time being. He said, however, that the DOJ decision to seek charges against such a broad spectrum of individuals, including within the CPP hierarchy and Congress, reflected the GRP decision that the time had come to take decisive action against would-be destabilizers who defy the law.

¶8. (C) Comment: Despite the lack of clear indicators of trouble over the upcoming weekend, Embassy will remain alert for the potential of new protests and anti-GRP activities. The GRP has now sent out even clearer signals that it will utilize all legal mechanisms against would-be coup plotters, although the Philippine judicial system will likely make it impossible to have swift resolution of these cases. However, the failure so far to move in similar fashion against military figures in the alleged plot considerably weakens this signal.

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